

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LANCE REBERGER,

Petitioner,

vs.

NEVADA, STATE OF, *et al.*,

Respondents.

3:13-CV-00032-HDM-VPC

ORDER

On January 22, 2013, petitioner submitted a motion for extension of copywork limit, in which he states that he needs funds for copies in order to file a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (ECF #1-1). Such document is insufficient to initiate a habeas corpus action in this court. As stated in Rule 1 of the Federal Rules of Civil Procedure, a civil action is commenced by filing a complaint, or in this case, a petition for writ of habeas corpus. Petitioner's motion must be denied. The court notes that in order to initiate a habeas petition before this court, petitioner need only submit such petition on the court-approved form, along with either the full \$5.00 filing fee or an application to proceed *in forma pauperis*. It is not necessary for petitioner to file exhibits at the time he files his petition.

Accordingly, this action must be dismissed, and petitioner's motion for expedited decision (ECF #3) is also denied.

1 **IT IS THEREFORE ORDERED** that the Clerk shall **DETACH** and **FILE** petitioner's
2 motion for extension of the copywork limit (ECF #1-1)

3 **IT IS FURTHER ORDERED** that petitioner's motion for extension of the copywork
4 limit is **DENIED**.

5 **IT IS FURTHER ORDERED** that petitioner's motion for expedited decision (ECF #3)
6 is **DENIED**.

7 **IT IS FURTHER ORDERED** that the Clerk shall send to plaintiff a blank petition for
8 writ of habeas corpus form with instructions, the approved form for Application to Proceed *In Forma*
9 *Pauperis*, and the document "Information and Instructions for Filing a Motion to Proceed *In Forma*
10 *Pauperis*."

11 **IT IS FURTHER ORDERED** that this action is **DISMISSED** for failure to file a
12 petition for writ of habeas corpus.

13 **IT IS FURTHER ORDERED** that the Clerk shall **ENTER JUDGMENT** accordingly
14 and close this case.

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16 DATED this 12th day of March, 2013.

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21 UNITED STATES DISTRICT JUDGE